



OCTOBER 10 - 14, 2005 ST. LOUIS, MISSOURI

James B. Loken, Chief Judge - Minneapolis, Minnesota

Circuit Judges in Active Service

**Roger L. Wollman - Sioux Falls, SD
Morris S. Arnold - Little Rock, AR
Diana E. Murphy - Minneapolis, MN
Kermit E. Bye - Fargo, ND
William Jay Riley - Omaha, NE
Michael J. Melloy - Cedar Rapids, IA
Lavenski R. Smith - Little Rock, AR
Steven M. Colloton - Des Moines, IA
Raymond W. Gruender - St. Louis, MO
Duane Benton - Kansas City, MO**

Circuit Judges Who Have Taken Senior Status

**Donald P. Lay - St. Paul, MN
Gerald W. Heaney - Duluth, MN
Myron H. Bright - Fargo, ND
Theodore McMillian - St. Louis, MO
John R. Gibson - Kansas City, MO
George G. Fagg - Des Moines, IA
Pasco M. Bowman - Kansas City, MO
Frank J. Magill - Fargo, ND
C. Arlen Beam - Lincoln, NE
David R. Hansen - Cedar Rapids, IA**

NOTICE TO ALL COUNSEL

Please review the entire calendar, as you may have more than one case scheduled for oral argument. Please check the calendar carefully for the starting time for your day and division.

Court will be held in the Thomas F. Eagleton Courthouse at 111 S. 10th Street, St. Louis, Missouri. Division I will be held in the En Banc Courtroom on Floor 28. Division II will be held in the Southeast Courtroom on Floor 27, and Division III will be held in the Northeast Courtroom on Floor 27. Counsel presenting oral argument should report to the clerk's office, Room 24.329, 30 minutes before Court convenes.

Counsel may not waive oral argument without prior leave of court. Absent leave of court, only one attorney is permitted to present the argument for a party. However, if the parties on a side are separately represented and have filed separate briefs, each party on that side is permitted to argue; in such a case, counsel must confer and decide how they will split the time shown on the calendar. Questions should be addressed to the Clerk of Court.

Appearance forms of counsel, if not previously submitted, must be completed and forwarded immediately to the clerk's office. Every attorney who presents oral argument must be admitted to the Eighth Circuit Bar unless appointed to represent a party proceeding in forma pauperis.

The time allotted for each side's argument is noted to the right of the case. ***Cases designated as NO ARG will be submitted to the Court on the briefs and record without oral argument, and counsel are not required to appear for cases designated NO ARG.***

Michael E. Gans
Clerk of Court

www.ca8.uscourts.gov

Updated 10/12/05

DIVISION I
28th Floor
En Banc Courtroom

MONDAY, OCTOBER 10, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES ARNOLD, BOWMAN, MURPHY

			JMH
1.	04-3349EA	United States v. Thomas James Hively, etc.	
	04-3352EA	United States v. Wesley John Ketz, Jr.	30
2.	04-3546EA	Arkansas Wildlife Federation, etc., et al. v. United States Army Corps of Engineers, et al.	20
3.	05-1446EM	Reliance Insurance Company, etc. v. Stephen Chitwood, et al.	20
	04-4022EA	Delores Butcher v. DaimlerChrysler Corporation	REMOVED
4.	05-1244EA	Shawna Carr v. Lake Village Police Department, et al.	15

TUESDAY, OCTOBER 11, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES ARNOLD, BOWMAN, MURPHY

			LAD (ABC-O)
	05-1224EM	United States v. Diallo Davidson	REMOVED
1.	05-1710SD	United States v. Rudolph Leopold Olguin	15
2.	04-4010SI	United States v. Eric Clark Webster	15
3.	04-2663	Passaro Frango v. John Ashcroft, etc.	10
4.	05-2222SD	United States v. Marquette Condon	15
	04-3853SD	United States v. William McLane	DISMISSED

****AFTERNOON SESSION****

BEGINNING AT 2:00 P.M.
BEFORE JUDGES ARNOLD, BEAM, SMITH

	04-2902EM	Thomas Moran v. Anne-Marie Clark, et al.	15
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DIVISION I
28th Floor
En Banc Courtroom

WEDNESDAY, OCTOBER 12, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES ARNOLD, BOWMAN, MURPHY

			SRD
	05-1113	Minnesota Center for Environmental Advocacy v. United States Environmental Protection Agency, et al.	REMOVED
1.	04-4061EA	United States v. James Charles Poe, III	15
	05-1347NI	United States v. James Alton Turner, Jr.	NO ARG
	05-1905NI	United States v. Edward Lee Williams	NO ARG
2.	05-1715SI	Ronald R. Scarberry v. State of Iowa	10
	04-2271EM	United States v. John Johnson	NO ARG

THURSDAY, OCTOBER 13, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES ARNOLD, MURPHY, GRUENDER

			CMD
	04-3827EM	William L. Rousan v. Donald P. Roper, etc.	REMOVED
1.	04-3609EM	Lepi Enterprises, Inc., etc. v. National Environmental Service Corp., etc., et al.	15
	05-2221NI	United States v. Carey Blanchard	NO ARG
2.	05-1978NI	United States v. Eddie Louis Denton	15
3.	05-1755NI	United States v. Joel Leon Beal	15

DIVISION I
28th Floor
En Banc Courtroom

FRIDAY, OCTOBER 14, 2005, BEGINNING AT 8:30 A.M.
BEFORE JUDGES ARNOLD, MURPHY, GRUENDER

	05-1097EA	Norman R. Pelkey v. Jo Anne B. Barnhart, etc.	PAW NO ARG
1.	05-1103EM	Genesee Associates, Inc. v. Ron Disney, et al.	15
2.	04-2473	Tetyana Ignatova v. John Ashcroft, etc.	15
	05-1907MN	Jennifer Johanna Pedersen v. Hennepin County, et al.	NO ARG
	05-1106	In re: Seena Y. Phillips, Debtor Ross H. Briggs v. John V. LaBarge, Jr.	REMOVED
3.	05-2361SI	United States v. Drexel Lee Dukes, Jr.	15

DIVISION II
27th Floor
Southeast Courtroom

MONDAY, OCTOBER 10, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, BEAM, SMITH

			CMD	
1.	04-2714EA	Jerry Hart, et al. v. City of Little Rock		20
	05-2089ND	United States v. John Lee Skinner	NO ARG	
2.	05-2524SD	United States v. Harold Tobacco		15
3.	04-4159MN	United States v. Shawn Michael Olthoff		10
4.	05-1289EA	Ripplin Shoals Land Company, LLC v. United States Army Corps of Engineers, et al.		15

TUESDAY, OCTOBER 11, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, BEAM, SMITH

			DMH	
1.	04-3919EM	United States v. Johnny Green		15
	05-1744MN	United States v. Cameron Maurice Stevens	NO ARG	
	04-3975EM	United States v. Kent M. Flentge	NO ARG	
	04-4109EM	United States v. John R. Kay	NO ARG	
2.	04-4206MN	United States v. Travis Michael Cullen		15
	04-3904EA	United States v. Frederick Freeman Craiglow	NO ARG	

DIVISION II
27th Floor
Southeast Courtroom

WEDNESDAY, OCTOBER 12, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, BEAM, SMITH

			MER
1.	04-3973MN	Abdel Elnashar v. Speedway SuperAmerica, LLC, et al.	
	04-3980MN	Abdel Elnashar v. United States Department of Justice, et al.	20
2.	04-3566EA	United States v. Bruce Wayne Hurley	10
	04-3926EA	Rosa Maria Lopez, et al. v. James Construction Group, etc.	NO ARG
3.	05-2146NI	United States v. Brion Dodd Johnson	15
4.	05-1618MN	Marie T. Niesen v. Gale Norton, etc.	15
5.	04-2615MN	United States v. Gordon Charles Warren	10

THURSDAY, OCTOBER 13, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES BYE, BEAM, SMITH

			LMT
1.	05-1576SD	United States v. Todd Alan Scofield	
	05-1577SD	United States v. Robert George Worshek	20
2.	05-1664MN	Mark Koscielski, et al. v. City of Minneapolis	15
3.	04-3376EM	Allsup, Inc. v. Advantage 2000 Consultants, Inc., etc., et al.	15
	05-1698NI	United States v. Efrain Garcia-Gonon	NO ARG
4.	05-1543SI	United States v. Mark Edward Myers	10

DIVISION II
27th Floor
Southeast Courtroom

FRIDAY, OCTOBER 14, 2005, BEGINNING AT 8:30 A.M.
BEFORE JUDGES BYE, BEAM, SMITH

YML

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| 1. | 05-1918/1920/1922/1923/1924/1925/1926/1927/1928/1929/
1930/1931/1932/1933/1934/1935/1936/1937/1938/1939/
1940/1941/1942/1943/1944/1945/1946/1947/1948/1949/
1950MN | Tom Lundeen, etc., et al. v. Canadian Pacific
Railway Company, et al. | 15 |
| 2. | 04-3972EA | Betty A. Simpson v. Merchants & Planters
Bank | 15 |
| 3. | 04-4189EA | Coy Stephen Lyons v. Potlatch Corporation | 15 |
| 4. | 05-1796EM | Craig Morgan v. Curtis Francois, et al. | 15 |
| 5. | 05-1641SI | Troy J. Lenz v. Yellow Transportation, Inc. | 10 |

DIVISION III
27th Floor
Northeast Courtroom

MONDAY, OCTOBER 10, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, HANSEN, COLLOTON

KAS

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|----|-----------|--|----|
| 1. | 04-3830EM | Ellen Maria Reasonover, et al. v. St. Louis County, Missouri, et al. | 30 |
| 2. | 05-1152EA | Donald Weems, et al. v. Lawrence Johnson, etc. et al. | 20 |
| 3. | 05-1205EA | Cathryn E. Hinshaw v. The Arkansas Local Police and Fire Retirement System, et al. | |
| | 05-1217EA | Cathryn E. Hinshaw v. Ted Mullinex | |
| | 05-1218EA | Cathryn E. Hinshaw v. Roger Smith, etc. | 20 |
| 4. | 05-1192EM | Craig Mershon v. St. Louis University, et al. | 15 |
| 5. | 05-1273EM | Elijah W. Swope v. Asim Razzaq, M.D. | 15 |

TUESDAY, OCTOBER 11, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, HANSEN, COLLOTON

TAB

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|----|-----------|---|---------------|
| 1. | 05-1058EA | United States v. Fontaine Demmond Sherman | |
| | 05-1072EA | United States v. Tremayne Scoggins, etc. | 15 |
| | 04-2403 | Koffi Mamana v. John Ashcroft | NO ARG |
| 2. | 05-1785MN | United States v. Arlen Jourdain, etc. | 15 |
| 3. | 05-1294EA | Mark Douglas Walker v. Larry Norris, etc. | 15 |
| 4. | 05-2201EM | United States v. Robert Voegtlin | 15 |
| 5. | 05-2023NE | United States v. Duane Larison | 15 |

DIVISION III
27th Floor
Northeast Courtroom

WEDNESDAY, OCTOBER 12, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, HANSEN, COLLOTON

			LLB
1.	04-2627EA	United States, et al. v. William Martin Gurley	20
2.	04-3956MN	United States v. Richard Ashton Oslund	20
3.	05-1139EM	David Knieriem etc. v. Group Health Plan, Inc., et al.	15
4.	04-4155EM	T.L., etc. v. United States	15
	05-1757EM	Ralph E. Dukes v. Jo Anne B. Barnhart, etc.	NO ARG
5.	04-3825EA	United States v. Christopher D. Livingston, etc.	10

THURSDAY, OCTOBER 13, 2005, BEGINNING AT 9:00 A.M.
BEFORE JUDGES RILEY, GIBSON, COLLOTON

			JPP
1.	04-3916EA	Susan Vaughn, etc. v. Greene County, Arkansas, et al.	
	04-4068EA	Susan Vaughn, etc. v. Greene County, Arkansas, et al.	15
2.	05-1548EA	Servewell Plumbing, LLC v. Federal Insurance Company	15
3.	05-2111NE	United States v. Zachary Hrasky	15
4.	05-1159EM	Sheik Mark S. Moore-El v. Al Luebbers	30
5.	05-2169NE	United States v. David Tabor, etc.	10

DIVISION III
27th Floor
Northeast Courtroom

FRIDAY, OCTOBER 14, 2005, BEGINNING AT 8:30 A.M.
BEFORE JUDGES RILEY, GIBSON, COLLOTON

			DMH
1.	04-3759EM	Terry Creason, et al. v. City of Washington, etc., et al.	15
2.	05-1201NE	DCS Sanitation Management, Inc. v. Eloy Castillo, et al.	15
	04-2664	Armandi Hoxha v. John D. Ashcroft, etc.	NO ARG
3.	05-1695MN	Randy Erven, et al. v. Blandin Paper Company, etc., et al.	15
4.	04-3955EM	Yvette Walker v. David Bonenberger, et al.	10